

HMK/jb GA 7943

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GREAT AMERICAN INSURANCE COMPANY OF
NEW YORK, SEABOARD PROPERTIES, INC.,
STAMFORD LANDING COMMERCIAL MARINA
DOCKOMINIUM, INC.,

Plaintiffs

07 CIV 8811 (GEL)(FM)
ECF CASE

-against-

FRANCIS E ROEHRIG, her engines, tackle,
boilers, etc., ROEHRIG MARITIME LLC, TUG
FRANCIS E ROEHRIG LLC, CR HARBOUR
TOWING & TRANSPORTATION LLC,

**COMPLAINT IN
ADMIRALTY**

Defendants
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Plaintiffs through their attorneys KINGSLEY, KINGSLEY & CALKINS
allege for their complaint herein:

1. This is a claim under the Court's Admiralty and Maritime jurisdiction within the meaning of Rule 9(h).
2. Plaintiff Great American Insurance Company of New York is an insurance company which duly reimbursed its insured, plaintiffs Seaboard and Stamford, under a policy of insurance for loss and damage to property owned by them.
3. Defendants are tugboat owners, managers and operators of the captioned tugboat.
4. FRANCIS E ROEHRIG is now or will be during the pendency of this action within the jurisdiction of this Honorable Court.

5. On or about February 17, 2007, Tug FRANCIS E ROEHRIG was moving barges near plaintiffs' floating dock, and negligently, recklessly, and carelessly broke and dislodged ice formations and freed a large ice floe that appeared to be at least 200 ft. x 200 ft. in area and up to six inches in thickness.

6. As a result of defendants' negligence, the ice floe drifted downstream and struck and damaged plaintiffs' floating dock.

7. The loss and damage to the floating dock and costs to rebuild totaled \$58,475.00.

8. Under its policy of insurance, plaintiff Great American has partially reimbursed its insured and is subrogated to the rights of its insured against defendants.

9. Plaintiffs' damages are \$58,475.00.

WHEREFORE, plaintiffs demand judgment of defendants in the amount of \$58,475.00 plus interest from the date of loss and the costs of this action.

Dated: October 11, 2007

KINGSLEY KINGSLEY & CALKINS
Attorneys for Plaintiffs

By: /S/
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